



**Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 45
AGENDA DATE: Thu 02/16/2006
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SUBJECT: Conduct a public hearing to consider an ordinance adopting an amendment to the Land Development Standards Agreement between the City and the Austin Independent School District and including the development of school sites located in the Barton Springs Zone and amending Chapter 25-8, Article 12 (Save Our Springs Initiative) as it applies to schools within the Barton Springs Zone.

AMOUNT & SOURCE OF FUNDING: N/A

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING Watershed Protection and **DIRECTOR'S**
DEPARTMENT: Development Review **AUTHORIZATION:** Joe Pantalione

FOR MORE INFORMATION CONTACT: Patrick Murphy, 974-2821

PRIOR COUNCIL ACTION: 1994 - Original agreement with AISD; 1996 - the first amendment to the AISD agreement; 1999 - the second amendment to the AISD agreement (not approved by AISD)

BOARD AND COMMISSION ACTION: Recommended with conditions by the Environmental Board.

PURCHASING: N/A

MBE / WBE: N/A

Background

State legislation was passed in 1990 that authorizes a school district and city to enter into an agreement regarding the land development standards that are applicable to the school district facilities.

In 1994 the City and Austin Independent School District (AISD) entered into a land development standards agreement. The agreement allowed 25% impervious cover in the entire Barton Springs Zone except for three previously funded schools that were allowed 50% impervious cover in Maple Run, Travis Country, and the Village at Western Oaks. Impervious cover was limited to 50% in all other watersheds.

In 1996 the first amendment to the agreement was approved. This amendment added a fourth school, Boone Elementary, to the list of schools that may exceed 25% impervious cover in the Barton Springs Zone with up to 31% impervious cover.

In 1999 AISD requested a second amendment to the agreement that addressed review periods for applications, building height, parking and impervious cover. Council approved those amendments, but also lowered the allowable impervious cover in the Barton Springs Zone from 25% to 20% and limited schools in urban watersheds to 65% impervious cover or the zoning impervious cover limit. AISD did not sign the agreement because of the reduction in the Barton Springs Zone. The second amendment is not in effect.



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Proposed 2nd Amendment

AISD is proposing a new second amendment to the agreement that adopts some of the amendments that were previously approved by Council and adds some additional amendments to address specific issues related to development of school sites in the Barton Springs Zone.

The amendment adopts a 25 percent impervious cover limit for schools in the Barton Springs Zone, but AISD is requesting that school sites located within a Council approved development agreement be allowed to comply with the terms of the agreement and not be required to comply with the 25 percent impervious cover limit. There are currently three school sites in areas covered by development agreements that would benefit from the proposed amendment, including a new elementary school at the southern end of LaCrosse Blvd., a new middle school at the intersection of Slaughter Lane and FM 1826, and a school site in the Bear Lake Planned Unit Development. The school sites are located on land covered by the Bradley Agreement and the Stratus Agreement (Circle C Land Corporation), respectively. These agreements addressed the impervious cover limits of the Save Our Springs regulations on an overall basis through clustering of development and dedication of open space.

AISD is also requesting that Kiker Elementary located on LaCrosse Blvd. near Escarpment be added to the list of schools that are excepted from the impervious cover limits of the agreement. Kiker Elementary was constructed under the 1986 Comprehensive Watersheds Ordinance. Since that time AISD has added eight portable classrooms to the site, which are excepted from the City's regulation under state law. The existing impervious cover on the Kiker Elementary site is 34% net site area. The proposed permanent eight-classroom addition and parking will result in approximately 38% impervious cover. AISD proposes to mitigate the square footage of the Kiker Elementary developed area that is in excess of 15 percent of net site area (96,000 square feet) by paying the sum of \$230,400 to the City. This amount represents the value of 96,000 square feet of impervious cover at \$2.40 per square foot. The City will use the money to purchase and preserve land in the Barton Springs Zone.

Recommendation

Staff recommends the proposed amendments.